

**REMARKS**

Upon entry of the present amendment claims 27, 28, 31, 34, 35, and 38 will have been amended to clarify the recitations thereof. However, these amendments have not been made in view of the prior art of record, but rather have been made to even more clearly emphasize the differences between the present invention and the references relied upon by the Examiner. Further, by making amendments to the language of the claims, Applicants do not in any manner intend to indicate their acquiescence in the propriety of the asserted rejection, but have only amended the claims to advance prosecution and to expedite allowance of the present application.

In view of the herein contained amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection together with an indication of the allowability of all of the claims pending in the present application, in due course. Such action is now believed to be appropriate and proper and is thus respectfully requested, in due course.

In the outstanding Official Action, the Examiner rejected all of the claims in the pending present application (i.e. claims 27-40) under 35 U.S.C. § 103(a) as being unpatentable over Zhang et al. et al. (U.S. Patent Application Publication No. 2005/0088972) in view of Parkvall et al. et al. (U.S. Patent No. 6,542,736). Applicants respectfully traverse the above noted rejection and submit that it is inappropriate with respect to the combinations of features recited in Applicants claims.

In setting forth the rejection, the Examiner asserts that Zhang et al. discloses storing content and a plurality of program configuration information which includes a screen arrangement of the content. In this regard, the Examiner makes reference to paragraph [0040] of Zhang et al. However, this portion of Zhang et al. discloses that based on the broadcast or handover signaling received from a second access network, the mobile node determines

transmission condition parameters, such as bandwidth, delay, buffer size and the like, of the second access network and can thus adjust the TCP transmission window size to match the changed conditions. Accordingly, according to the teachings of Zhang et al., the sending or receiving access rate for the mobile TCP sender or receiver can be adjusted in view of a change between heterogenous access media, the such as based on a handover operation.

However, Zhang et al. does not disclose storing a plurality of screen arrangements of the content, broadcasting the plurality of screen arrangements and then selecting, at a mobile terminal, one of the plurality of screen arrangements of the content as recited in Applicants' claims.

In fact, Zhang et al. is directed to a communication system that is fundamentally distinct from that disclosed and claimed in the present application. In other words, Zhang et al. employs bidirectional communication between a sender and a receiver via an access network to control and change the transmission window size. In direct contrast to this, the presently disclosed invention requires only unidirectional communication between the transmitter and the mobile station, acting as a receiver of the content.

In this regard, the Examiner's attention is respectfully directed to figure 3 of Zhang et al. As can be seen from figure 3, when a packet E is received at the mobile device after passing through the second access network 20, the mobile device changes the window size and informs the sender of the changed window size in the acknowledgment message ACK E.

However, according to the present invention as disclosed, such acknowledgment message (i.e. bidirectional communication) is not necessary. Rather, the mobile terminal, by itself, selects one of the plurality of configuration information (i.e. screen arrangement of the content). As can

readily be understood, this results in a significantly simpler and more efficient communication system.

In other words, according to an aspect of the present invention, without requiring communication between the receiving terminal and a broadcaster (or a server from which the content is transmitted to the receiving terminal), the receiving terminal can select, based on the environment of the terminal, appropriate program configuration information from the plurality of transmitted program configuration information and can display content that is appropriate, in accordance with the capabilities of the receiving terminal.

As noted above, Zhang et al. teaches adjusting the size of the TCP transmission window in accordance with transmission parameters. In other words, the TCP transmission window size, which is related to the amount of data that can be received in a consecutive session, is adjusted based on a communication from the receiving terminal. Based upon such communication, the transmitting terminal then adjusts the window size (i.e. and thus the amount of data to be transmitted). However, the size of the TCP transmission window is not related to the screen size and the screen arrangement of the broadcast content, as now even more clearly recited in the pending claims. Accordingly, Zhang et al. does not disclose broadcasting a plurality of program configuration information, including the screen arrangement of content, which indicates which of a plurality of media representing varying amounts of information is to be played and a display position of the media to be played, to one or more mobile terminals.

In setting forth the rejection, the Examiner admits that Zhang et al. does not disclose that the plurality of mobile terminals each select one of the plurality of pieces of program configuration information based on a transmission condition. Instead, the Examiner relies on the disclosure of Parkvall et al. for this feature. However, Parkvall et al. merely discloses changing

or modifying one or more signal transmission parameters to compensate for channel quality variations. The Examiner further asserts that such "link adaptation" can also be accomplished by changing the type of modulation and amount of channel coding applied to the data to be transmitted via the base station and that in the alternative, the Examiner asserts that, link adaptation can be performed, in the uplink, by the mobile terminal.

However, according to the teachings of Parkvall et al., a mobile terminal, as explicitly disclosed with reference to figure 11, determines signal quality of received pilot signals, selects a sector and/or an antenna having a maximum data transmission rate and transmits information about the selected sector and/or antenna to the base station.

Accordingly, Parkvall et al. also fails to disclose program configuration information which includes a screen arrangement of the content as defined in Applicants' claims. As previously noted, Parkvall et al. deals with changing a type of modulation and an amount of channel coding but does not disclose broadcasting the screen arrangement of the content to the mobile terminals such that the mobile terminals can select one of the plurality of transmitted program configuration information (i.e. screen arrangement of contents) as recited in the pending claims.

In addition to the above noted deficiency and shortcoming of the disclosure of Parkvall et al., Applicants further note that Parkvall et al. also requires bidirectional communication between the mobile terminal and the base station.

Accordingly, it is respectfully submitted that because neither of the two references relied upon by the Examiner contain disclosures of at least the above noted features, no proper combination of these documents can contain such disclosures or teachings. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the outstanding rejection.

Applicants' additionally wish to make of record a telephone interview conducted between Applicants undersigned representative and the Examiner in charge of the present application. In this regard Applicants' undersigned representative wishes to respectfully thank Examiner Mirza for his courtesy and cooperation in scheduling and conducting the above noted interview on December 3, 2009.

During the above noted interview, Applicants undersigned representative pointed out the shortcomings and deficiencies of the references relied upon in the outstanding Official Action. Applicants representative pointed out that a purpose and advantage of the present invention is to enable each mobile terminal to select content that is suitable for the propagation environment and for the display capabilities of each such individual receiving mobile terminal. Applicants undersigned representative also indicated that the claims would be amended to clarify and further define the program configuration information to explicitly indicate that the screen arrangement of the content indicates which of a plurality of media representing varying amounts of information is to be played and a display position of the media to be played. The Examiner agreed that such clarification would be useful in distinguishing the pending claims over the disclosure of the references relied upon.

During the above noted interview, Applicants undersigned representative also pointed out that each of the two references relied on requires bidirectional communication between the base station (as the transmitter of information) and the mobile terminal as the receiver. Applicants contrasted such need for bidirectional communication in the prior art with the present invention, which merely requires a transmission, from the information source to the mobile terminal, and selection, by the mobile terminal, without further communication with the information source.

Even further, Applicants pointed out that the screen arrangement of the content, as recited in the independent claims, relates to the playing and/or display capabilities of the various of the mobile terminals to which the content is transmitted. Applicants representative additionally pointed out that no screen arrangement of the content, as defined in the pending claims, is transmitted by either of the references relied upon.

At the conclusion of the interview, the Examiner indicated that he now more fully understood the invention and the differences between the claimed combinations of features and the disclosures of the applied references and that he would give full consideration to Applicants' amendments and arguments when they are received.

The Examiner is again thanked for his courtesy and cooperation in scheduling and conducting the above noted interview.

Accordingly, in view of the herein contained amendments and remarks and further in view of the discussion and understanding achieved during the above noted telephone interview, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection, together with an indication of the allowability of all of the claims in the present application in due course.

### **SUMMARY AND CONCLUSION**

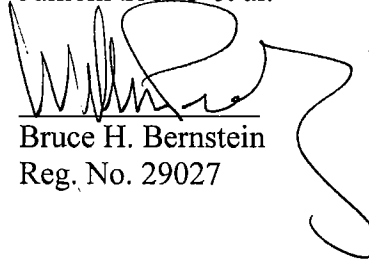
Applicant submit that they have made a sincere effort to place the present application into condition for allowance and believe that they have now done so. Applicants have conducted a telephone interview with the Examiner and have included a record thereof in present response. Applicants have amended the claims to define features of the present invention and to clarify and amplify the distinctions between the present invention and the disclosures of the references relied upon by the Examiner in the outstanding rejection.

In this regard, Applicants have pointed out the shortcomings and deficiencies of the references. Applicants have additionally, with reference to the specific language of the claims, noted significant and substantial shortcomings of the disclosures of the references applied by the Examiner in the outstanding Official Action. Accordingly, Applicants have provided a clear and convincing evidentiary basis supporting the patentability of all of the claims pending in the present application and respectfully request an indication to such effect in due course.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
Junichi SATO et al.

A handwritten signature in black ink, appearing to be 'Bruce H. Bernstein', written over a horizontal line.

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